

From: [Robert Werner](#)
To: [Barbara Nann](#)
Cc: [Stephen Tzhone](#); [Lydia Johnson](#); [Carlos Sanchez](#); [Linda Brewer](#)
Subject: San Jacinto River Waste Pits (06ZQ) - Revised Site Description that Identify His Deceased Status
Date: 07/09/2009 09:56 AM

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Barbara,

I've incorporated all of your requested changes into the below Site Background description. Please send email to me confirming this description is OK. If OK:

1. Stephen will insert it into his SOW and I will insert it into the SN letter.
2. If the below description is OK, are you going to insert it into the Draft Administrative Order on Consent (Draft AOC) that you emailed to me yesterday? If yes, please make the change and email the revised Draft AOC back to me.

Bob
5.6724

SITE BACKGROUND

The Site is located east of the City of Houston in Harris County in the State of Texas in the area where the Interstate Highway 10 Bridge (I-10) crosses over the San Jacinto River (see Enclosure 2). The Site's known land area is a 20-acre tract of land (Tract). This Tract (see Enclosure 2) is adjacent to the north side of I-10 and the west side of the San Jacinto River. This Tract is located in an unincorporated area known as Channelview. The area of the San Jacinto River that is within the Site's boundaries is north, east and south of the Tract. This area of the San Jacinto River is located between the two unincorporated areas known as Channelview and as Highlands (see Enclosure 2). The Site itself has no specific street address.

Soil samples taken from Tract and from river sediments in areas of the San Jacinto Rivers that are north, east, and south of the Tract have confirmed the presence of certain hazardous materials, including dioxin. River sediment in this area is suspected to be contaminated with certain hazardous materials, including dioxin, which might have migrated from the Tract. The EPA has evidence that indicates dioxin had been transported to the Tract in waste paper mill sludge that had been released onto the Tract during the 1960's.

Virgil C. McGinnes, Trustee is the Tract's current owner of record. Virgil C. McGinnes is deceased. Three exposed abandoned waste disposal pits are located on this abandoned Tract. The three abandoned waste pits cover an area that approximates 3.5 acres of the abandoned Tract's 20-acre area. Part of the abandoned Tract, including the abandoned disposal pits, is now below the adjacent San Jacinto River's water surface.

Samples collected in the area of the abandoned waste pits and in river sediments in the areas that are north, east, and south of these pits have dioxin concentrations as high as 41,300 parts per trillion. Sediments contaminated with high levels of dioxin have been found in the San Jacinto River for a distance of at least one-half mile downstream from the disposal pits.

▼ [Re: San Jacinto River Waste Pits \(06ZQ\) - Two Revised Site Descriptions that Identify His Deceased Status and the Property's...](#)

Re: San Jacinto River Waste Pits (06ZQ) - Two Revised Site Descriptions that Identify His Deceased Status and the Property's Status as Abandoned Property



Barbara Nann to: Robert Werner

07/08/2009
04:31 PM

Neither. That is too much detail. Just state "Virgil MCGinnis is deceased." After the sentence about virgil mcginnis as the owner and before the statement about the property being abandoned.

Barbara A. Nann
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▼ Re: San Jacinto River Waste Pits (06ZQ) - Two Revised Site Descriptions that Identify His Deceased Status and the Property's...

Re: San Jacinto River Waste Pits (06ZQ) - Two Revised Site Descriptions that Identify His Deceased Status and the Property's Status as Abandoned Property



Robert Werner to: Barbara Nann

07/08/2009
02:59 PM

Barbara,

Please email back to me the version you want and I'll take it from here.

EXTRACT FROM REVISED SITE DESCRIPTION (FIRST OPTION)


Virgil C. McGinnes, Trustee is the Tract's current owner of record. Social Security Administration death records identify that Mr. McGinnes died on February 24, 1993. Because the Tract is not a listed asset in the Brazoria County Civil/Probate Department's probate file for the "Estate of V. C. McGinnes, Deceased;" and because on-line information from the Harris County Clerk identifies that County property taxes for the Tract have been in arrears since 1996; EPA believes the Tract is now an abandoned tract of land. Three exposed abandoned waste disposal pits are located on this abandoned Tract. The three abandoned waste pits cover an area that approximates 3.5 acres of the abandoned Tract's 20-acre area. Part of the abandoned Tract, including the abandoned disposal pits, is now below the adjacent San Jacinto River's water surface.

EXTRACT FROM REVISED SITE DESCRIPTION (SECOND OPTION)

Virgil C. McGinnes, Trustee is the Tract's current owner of record. Social Security Administration death records identify that Mr. McGinnes died on February 24, 1993. Because Mr. McGinnes is deceased, and because County property taxes for the Tract have been in arrears since 1996, EPA believes the Tract is now an abandoned tract of land. Three exposed abandoned waste disposal pits are located on this abandoned Tract. The three abandoned waste pits cover an area that approximates 3.5 acres of the abandoned Tract's 20-acre area. Part of the abandoned Tract, including the abandoned disposal pits, is now below the adjacent

San Jacinto River's water surface.

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Re: San Jacinto River Waste Pits (06ZQ) - Revised Site Description 

Barbara Nann to: Robert Werner

07/08/2009
01:26 PM

Cc: Lydia Johnson, Stephen Tzhone

I like the revised. You may want to add a sentence to the history that "Virgill McGinnis is now deceased"

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▼ [San Jacinto River Waste Pits \(06ZQ\) - Revised Site Description](#)

San Jacinto River Waste Pits (06ZQ) - Revised Site Description

Robert Werner to: Barbara Nann, Stephen Tzhone

07/08/2009
12:33 PM

Cc: Lydia Johnson

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Barbara,

Please look at my revised site description. If OK, please send back to Stephen and myself. I will paste it into the SNLs and resubmit both packages to you and Stephen will paste it in into his SOW.

I will have a new Site Location Map (will be enclosure 2) within the hour. Only changes from the original Location Map to the new Location Map will be:

1. New map illustration will not highlight the southern impoundment area.

2. New map legend will not contain a reference to the "Southern Impoundment Perimeter."

Stephen.

I'll email the new Site Location Map to you as soon as I receive it.

Bob

5.6724

[attachment "Letter - IPC - Special Notice Letter - 2009-07-08 (File only contains suggested revised site description) .doc" deleted by Barbara Nann/R6/USEPA/US]